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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LUIS MAURICIO CASTENON,  
BRYAN STEVEN REYES,  
  
Defendant.

CASE NO. 1:22-CR-00309-ADA-DAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

CURRENT DATE: November 8, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 8, 2023.
2. By this stipulation, defendant now moves to continue the status conference until February 28, 2024, and to exclude time between November 8, 2023, and February 28, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties request that the Court find the following:
  - a) The government asserts the initial discovery in this matter has been provided to counsel for both defendants. Mr. Reyes received his initial discovery on November 1, 2023, after the parties agreed to a protective order. The discovery is approximately 5GB. The government is

1 aware of its ongoing discovery obligations.

2 b) Counsel for the defendant desires additional time to consult with their clients, to  
3 review the current charges, to conduct investigation and research related to the charges, to review  
4 and/or copy discovery for this matter, to discuss potential resolutions with their clients, to  
5 prepare pretrial motions, and to otherwise prepare for trial.

6 c) Counsel for defendants believe that failure to grant the above-requested  
7 continuance would deny them the reasonable time necessary for effective preparation, taking into  
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the  
11 case as requested outweigh the interest of the public and the defendant in a trial within the  
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
14 et seq., within which trial must commence, the time period of November 8, 2023 to February 28,  
15 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
16 T4], because it results from a continuance granted by the Court at defendant's request on the  
17 basis of the Court's finding that the ends of justice served by taking such action outweigh the  
18 best interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
21 must commence. IT IS SO STIPULATED.

22  
23 DATED: November 11, 2023

PHILLIP A. TALBERT  
United States Attorney

24 By: /s/ Arin C. Heinz  
25 ARIN C. HEINZ  
26 Assistant U.S. Attorney

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1 DATED: November 11, 2023

By: /s/ Mark Coleman  
MARK COLEMAN  
Attorney for Defendant  
BRIAN STEVEN REYES

4 DATED: November 11, 2023

By: /s/ Anthony Capozzi  
ANTHONY CAPOZZI  
Attorney for Defendant  
LUIS MAURICIO CASTENON

8 **ORDER**

9 IT IS SO ORDERED that the status conference is continued from November 8, 2023, to **February**  
10 **28, 2024, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to  
11 18 U.S.C. § 3161(h)(7)(A), B(iv).

12 IT IS SO ORDERED.

13 Dated: November 2, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE